

ASSEMBLY BILL

No. 2746

Introduced by Assembly Member Blakeslee

February 24, 2006

An act to amend Section 9022 of the Health and Safety Code, relating to public cemetery districts.

LEGISLATIVE COUNSEL'S DIGEST

AB 2746, as introduced, Blakeslee. District board of directors: conflict of interest: incompatible offices.

Existing law provides for the formation and appointment of members of the governing boards of community services districts and the board of trustees of public cemetery districts. Existing law, with certain exceptions, generally requires public officers to avoid conflicts of interest and prohibits an officer from assuming incompatible offices.

This bill would provide that, notwithstanding any provision of law to the contrary, it does not constitute a conflict of interest or an incompatible office for a member of the governing board of a community services district which comprises all or part of a public cemetery district to also serve as a member of the board of trustees of the public cemetery district.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 9022 of the Health and Safety Code is
2 amended to read:

1 9022. (a) Each person appointed by a board of supervisors to
2 be a member of a board of trustees shall be a voter in the district.

3 (b) All trustees shall exercise their independent judgment on
4 behalf of the interests of the residents, property owners, and the
5 public as a whole in furthering the purposes and intent of this
6 part. The trustees shall represent the interests of the public as a
7 whole and not solely the interests of the board of supervisors that
8 appointed them.

9 (c) *Notwithstanding any provision of law to the contrary, it is*
10 *not a conflict of interest for a member of the governing board of*
11 *a community services district which comprises all or part of a*
12 *public cemetery district to also serve as a member of the board of*
13 *trustees of the public cemetery district, nor are the two public*
14 *offices incompatible.*